

end of said paper writing which is now shown as aforesaid and which bears date of the 26th day of January 1893
 And the deponent further saith that the said Bentley Brooks the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing as subscribed by him and written to be his last Will and Testament and this deponent did thereupon subscribe her name at the end of said Will, as an attesting witness thereto and at the request and in the presence of said testator. And this deponent further saith that at the said time when the said testator subscribed his name to the said last Will as aforesaid and at the time of the deponent's subscribing her name as an attesting witness thereto as aforesaid the said Bentley Brooks was of sound mind and memory of full age to execute a Will and was not under any restraint to the knowledge, information or belief of this deponent. And further this deponent says not.

Ellen Luke

Solemnly sworn and subscribed,
 This 17th day of August 1896
 before me

J. P. Lewis
 Clerk Superior Court

North Carolina Ashe County
 I Melvin Shephard of of the aforesaid County and State being of sound mind but considering the uncertainty of my earthly existence do make and declare this my last Will and Testament. First- My Executors hereinafter named shall pay all my just debts out of the first money which may come into their hands belonging to my estate. Second- I give and devise to two of my sons, Gardner and Arthur and their heirs in fee simple a part of the tract of land on which I now live adjoining Ambrose Shepherd land in Horse Creek Township, Ashe Co. North Carolina each part to contain Thirteen acres, and to my younger son Oren Thirteen acres adjoining theirs.

Third- I give and devise to my beloved wife Elizabeth Shepherd the remainder of the tract of land on which I now reside to hold her lifetime then to be equally divided between three daughters to wit Elmira Rebecca and Alice.

Fourth- I give and bequeath to my beloved wife Elizabeth Shepherd all my personal property after my just debts have been paid to hold her lifetime, then to be equally divided between my lawful heirs.

Fifth- and whereas my said sons to wit Gardner Arthur and Oren are minors and not full age, now therefore my desire and will is, that my wife Elizabeth Shepherd be and she is hereby constituted and appointed Guardian of the said land to have hold and use said land until they are of full age if married, one year or married.

Sixth- I hereby constitute and appoint my trusty friends Ambrose Shepherd and Fieldon Shepherd my lawful Executors to all intents and purposes to execute this my last will and Testament according to the true intent and meaning of the same and every part and clause thereof hereby

revoking and declaring utterly void all other wills and Testaments by me heretofore made, in witness whereof I the said Melvin Shepherd do hereunto set my hand and seal this March the 11th day 1896.

Melvin Shepherd (seal)
+ his mark Harrison Elliott
Wilson Thompson

Signed sealed published and declared by the said Melvin Shepherd to be his last will and Testament in the presence of us who at his request and in his presence do subscribe our names as witnesses thereto
Harrison Elliott
Wilson Thompson } witnesses

State of North Carolina)
Ashe County) ss- In Superior Court

A paper purporting to be the last Will and Testament of Melvin Shepherd deceased is exhibited before me the undersigned Clerk of the Superior Court for said County by Ambrose Shepherd and Fieldon Shepherd the Executors therein mentioned and the due execution thereof by the said Melvin Shepherd by the oath and examination of Harrison Elliott and Wilson Thompson the subscribing witnesses thereto, who being duly sworn do depose & say and each for himself depose and saith that he is a subscribing witness to the paper writing now shown him purporting to be the last will and Testament of Melvin Shepherd, that the said Melvin Shepherd in the presence of these deponents subscribed his name at the end of said paper writing which is now shown as aforesaid and which bears date of the 11th day of March 1896

And the deponents further saith that the said Melvin Shepherd the testator aforesaid did at the time of subscribing his name as aforesaid declare the said paper writing so subscribed by him and exhibited to be his last will and Testament

and these deponents did thereupon subscribe their names at the end of said will as an attesting witnesses thereto and at the request and in the presence of said testator, and these deponents further saith that at the said time when the said testator subscribed his name to the said last will as aforesaid and at the time of the deponents subscribing their names as an attesting witnesses thereto as aforesaid the said Melvin Shepherd was of sound mind and memory of full age to execute a Will, and was not under any restraint to the knowledge, information or belief of these deponents, and further these deponents say not.

Harrison Elliott
Wilson Thompson

Generally sworn and
subscribed this 13th day
of March 1896 before me
P. Blewins C.S.C.

North Carolina)
Ashe County) ss- In Superior Court

It is therefore considered and adjudged by the Court that the said paper writing and every part thereof is the last Will and Testament of Melvin Shepherd deceased. Let the said will together with the Probate be recorded and filed.

This 13th day of March 1896
P. Blewins C.S.C.